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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/724,149	12/01/2003	Toshiaki Kusunoki	AETE.0004	1618
38327	7590	12/22/2004	EXAMINER	
REED SMITH LLP 3110 FAIRVIEW PARK DRIVE, SUITE 1400 FALLS CHURCH, VA 22042				PHILOGENE, HAISSA
			ART UNIT	PAPER NUMBER
			2828	

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/724,149	KUSUNOKI ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Haissa Philogene	2828

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 01 December 2003.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-79 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 3-8, 19, 21-25, 27-31, 33-37, 39-43, 45-49, 51-55, 57-61, 63-67, 69-73 and 75-79 is/are allowed.
- 6) Claim(s) 1, 2, 9 and 20 is/are rejected.
- 7) Claim(s) 10-18, 26, 32, 38, 44, 50, 56, 62, 68 and 74 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 01 December 2003 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/10/04</u> | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Specification***

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Drawings***

Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Objections***

Claims 6, 10-14, 26-28, 31-34, 37-4, 43-46, 49-52 and 55 are objected to because of the following informalities: In claim 6, line 12, change "space" to --spacer--. In claims 10-14, 26-28, 31-34, 37-4, 43-46, 49-52 and 55, the term " said stripe-shaped spacer electrode" lacks proper antecedent basis. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 9 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Kusunoki et al., Patent No. 5,936,257.

As per claim 1, Kusunoki discloses a display device comprising: a display panel comprised of a cathode substrate (14) and a fluorescent screen substrate (110), said cathode substrate including an array of thin-film type electron sources (see Figs. 8-10 and Col.10, lines 35-38) each having a lower electrode (13), an upper electrode (11) and an electron accelerating layer (12) retained between said lower electrode and said upper electrode, each of said electron sources radiating electrons from said upper electrode (13) in response to a voltage (20) applied between said lower electrode and said upper electrode (see Fig.1), said fluorescent screen substrate (110) including a fluorescent screen in which phosphors (114) excited by said electrons to thereby emit light are formed; and a drive circuit for driving said lower electrode and said upper electrode (see Col.4, lines 19-22); wherein one of said lower electrode (13) and an upper bus electrode (32) is a stripe-shaped electrode in an image display area where said array of thin-film type electron sources of said display panel are disposed in a matrix (see Figs.8-10), said upper bus electrode (32) being provided to feed power to said upper electrode (11) (see Col.11, lines 38-42).

As per claim 2, Kusunoki discloses the claimed invention substantially as explained above. Further, Kusunoki discloses both said lower electrode (13) and an upper bus electrode (32) being stripe-shaped electrodes (see Figs.9, 10, 13 and 14) in an image display area where said array of thin-film type electron sources of said display panel are disposed in a matrix, said upper bus electrode (32) being provided to feed power to said upper electrode (11).

As per claims 9 and 20, Kusunoki discloses in Fig.15E (second column) said upper bus electrode 32 readable as a non-stripe-shaped portion outside the image display area by a known lift-off technique to remove the resist mask 502.

***Allowable Subject Matter***

Claims 10-18, 26, 32, 38, 44, 50, 56, 62, 68 and 74 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 3, 5, 21, 27, 33, 39, 45, 51, 57, 63, 69, 75 & 4, 19, 22, 28, 34, 40, 46, 52, 58, 64, 70, 76 & 6, 23, 29, 35, 41, 47, 53, 59, 65, 71, 77 & 7, 24, 30, 36, 42, 48, 54, 60, 66, 72, 78 & 8, 25, 31, 37, 43, 49, 55, 61, 67, 73, 79 are allowed.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kusunoki et al., Patent No. 6,617,774 ; Ito et al., Patent No. 6,316,873 ; Yoshikawa et al., Patent No. 5,990,605 ; Iwasaki et al., Patent No. 5,962,959; Huang et al., Patent No. 5,702,281; Hisatake et al., Patent No. 5,699,135.

***Correspondence***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haissa Philogene whose telephone number is (571) 272-1827. The examiner can normally be reached on 6:30 A.M.-6:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MinSun Harvey can be reached on (571) 272-1835. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2828

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

hp

Haissa Philogene  
Primary Examiner

A.U. 2828

